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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,454	07/10/2003	Anssi Haverinen	878.0034.U1(US)	3229
29683 7590 09/11/2007 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER PATEL, NIKETA I	
			ART UNIT 2181	PAPER NUMBER
			MAIL DATE 09/11/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Office Action Summary</b></p>	<p><b>Application No.</b></p> <p align="center">10/617,454</p>	<p><b>Applicant(s)</b></p> <p align="center">HAVERINEN ET AL.</p>	
	<p><b>Examiner</b></p> <p align="center">Niketa I. Patel</p>	<p><b>Art Unit</b></p> <p align="center">2181</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 6/14/2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-14 is/are rejected.
- 7) ☒ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/26/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Papers Submitted***

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amended Claims, Applicant Arguments/Remarks as filed on 6/14/2007 and an IDS filed on 7/26/2007.

### ***Information Disclosure Statement***

2. The information disclosure statement filed 07/26/2007 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office. The NPL document (Office Action issued by the Patent Office of the People's Republic of China) is not listed on the IDS form PTO 1449 under the "Other Document" section. The NPL document has been placed in the application file, but the information referred to therein has not been considered.

### ***Response to Arguments***

3. Applicant's arguments filed 6/14/2007 have been fully considered but they are not persuasive. The applicant's remarks, pages 5-7, recite the independent claims 1, 9, 13 and the section of Kacines reference (U.S. Patent Application Publication No.: 2001/0054102 A1 hereinafter "*Kacines*") that are cited in the previous Office Action. The applicant argues, pages 7-8, that *Kacines* does not disclose the limitations of (1) an identity acquisition unit capable of functioning in a first mode of operation of the device to receive data transmitted over the data bus and in response to the order in which the bits of one or more data words of a predetermined

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form are received on the data bus connectors during the first mode of operation determine an identify for the device, (2) the identity acquisition unit, (3) an identity acquisition unit in each of tow or more devices and (4) the identity of the deivce is determined in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors.

The examiner respectfully disagrees with these arguments.

As per the first argument, *Kacines* teaches the limitation of an identity acquisition unit [figure 1, element 11 and paragraphs 11, 13 – device 11 are processor based devices, the processing resources of device 11 and the controller 12 are at least such that they are capable of performing the functions described herein] capable of functioning in a first mode of operation of the device [i.e. the login process, see paragraph 15, the login process permits that device 11 to be identified and to be assigned a network address. This in turn, permits the device to send and receive data via the network] to receive data transmitted over the data bus and in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors during the first mode of operation determine an identify for the device [see paragraphs 21-24, 27 – the controller quires for the value of a first bit position on the device IDs and then the next bit until the least significant bit is reached. The acknowledgements received by the controller permits it to traverse a binary tree and using this tree, it determines the identification number of a device 11 that is attempting to login.] The controller using the binary tree and acknowledgements received by the processing resources of the device 11 determines the identification number of the deivce during the login process. This in turn, permits the device 11

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to be identified and to be assigned a network address which permits the device to send a receive data via the network.

As per the second argument, *Kacines* teaches an identity acquisition unit [figure 1, element 11 and paragraphs 11, 13 – device 11 are processor based devices, the processing resources of device 11 and the controller 12 are at least such that they are capable of performing the functions described herein.] The claim language fails to set forth the details of structural elements of the acquisition unit. The processing resource of *Kacines*'s device 11 performs the same function as that of the identity acquisition unit and therefore meets the claimed limitation. Applicant has not made specific arguments pertaining to why the processing resource of *Kacines*'s device 11 is not equivalent to the claimed acquisition unit. Without such arguments, examiner cannot respond and is not persuaded by such argument.

As per the third argument, *Kacines* teaches an identity acquisition unit in each of tow or more devices [figure 1, element 11 and paragraphs 11, 13 – device 11 are processor based devices, the processing resources of device 11 and the controller 12 are at least such that they are capable of performing the functions described herein.] Also, see the response of the second argument provided above.

As per the fourth argument, *Kacines* teaches that the identity of the deivce is determined in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors [see paragraph 15, the login process permits that device 11 to be identified and to be assigned a network address. This in turn, permits the device to send and receive data via the network and [see paragraphs 21-24, 27 – the controller quires for the value of a first bit position on the device IDs and then the next bit until the least significant bit is reached.

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The acknowledgements received by the controller permits it to traverse a binary tree and using this tree, it determines the identification number of a device 11 that is attempting to login.] The controller using the binary tree and acknowledgements received by the processing resources of the device 11 determines the identification number of the device during the login process. This in turn, permits the device 11 to be identified and to be assigned a network address which permits the device to send and receive data via the network.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 6-14 rejected under 35 U.S.C. 102(b) as being anticipated by Kacines U.S.

Patent Application Publication No.: 2001/0054102 A1 (hereinafter "*Kacines*").

6. Referring to claims 1, 9, 13, *Kacines* teaches, taking claim 1 as exemplary, data handling apparatus capable of operating in a system in which two or more devices are connected by a data bus for the transmission of communications there between, the data bus having two or more data lines and each of the two or more devices having: two or more data bus connectors, each for connection to a respective data line of the data bus [see paragraphs 4-5]; an identity acquisition unit capable of functioning in a first mode of operation [see paragraph 4-5, login process begin... a pattern of requests... the value of successive bit positions of the devices

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identification numbers...traverses a binary tree...thereby determining the identification number of the device; paragraphs 14-16 and figure 1, element 11 and paragraphs 11, 13 – device 11 are processor based devices, the processing resources of device 11 and the controller 12 are at least such that they are capable of performing the functions described herein] of the device to receive data transmitted over the data bus and in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors during the first mode of operation determine an identity for the device and store the identity in an identity store of the device [see paragraphs 21-24, 27 – the controller queries for the value of a first bit position on the device IDs and then the next bit until the least significant bit is reached. The acknowledgements received by the controller permits it to traverse a binary tree and using this tree, it determines the identification number of a device 11 that is attempting to login]; and a data handling unit capable of functioning in a second mode of operation of the device to handle communications transmitted over the bus and that specify the identity stored in the data store as a destination [see paragraphs 4-5, 14-16, 21-24 - the controller using the binary tree and acknowledgements received by the processing resources of the device 11 determines the identification number of the device during the login process. This in turn, permits the device 11 to be identified and to be assigned a network address which permits the device to send and receive data via the network.] Claims 9 and 13 recite similar limitations and therefore rejected for the same reasons.

7. **Referring to claims 2**, *Kacines* teaches a data handling apparatus as claimed in claim 1, wherein the identity acquisition unit is arranged to process each of the one or more data words of

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a predetermined form in accordance with a look-up table in order to determine the identity for the device [see paragraphs 4-5, 14-16, 21-24.]

8. **Referring to claims 6**, *Kacines* teaches a data handling apparatus as claimed in claim 1, wherein the device is a data processor [see paragraphs 4-5, 14-16, 21-24.]

9. **Referring to claims 7**, *Kacines* teaches a data handling apparatus as claimed in claim 1, wherein the device is a memory device [see paragraphs 4-5, 14-16, 21-24.]

10. **Referring to claims 8**, *Kacines* teaches a data handling apparatus as claimed in claim 1, wherein the device is defined on an integrated circuit and the data bus connectors are connectors for communicating to and/or moor the integrated circuit [see paragraphs 4-5, 14-16, 21-24.]

11. **Referring to claims 10**, *Kacines* teaches a data handling system as claimed in claim 9, comprising a further device connected to the bus and capable of functioning to transmit the said one or more data words of a predetermined form over the data bus [see paragraphs 4-5, 14-16, 21-24.]

12. **Referring to claims 11**, *Kacines* teaches a data handling system as claimed in claim 10, wherein the further device is capable of triggering the data handling devices to enter the first mode of operation [see paragraphs 4-5, 14-16, 21-24.]

13. **Referring to claims 12**, *Kacines* teaches a data handling system as claimed in claim 10, wherein the data handling devices are arranged to automatically enter the first mode of operation upon an initialization of the system [see paragraphs 4-5, 14-16, 21-24.]

14. **Referring to claims 14**, *Kacines* teaches a method as claimed in claim 13, comprising: in a second mode of operation of the device, handling by means of a data handling unit of the



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device communications transmitted over the bus and that specify the identity stored in the data store as a destination [see paragraphs 4-5, 14-16, 21-24.]

*Allowable Subject Matter*

15. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

16. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record taken alone or in combination with other does not teach and/or fairly suggest the limitation of a multiplexing arrangement located between the data bus connectors and the data handling unit and arranged to, in at least the second mode of operation, re-order in accordance with the stored identity data received from at least two of the data lines of the bus and passed to the data handling unit, in combination with other recited limitations.

*Conclusion*

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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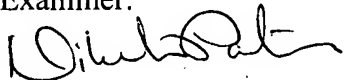
CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niketa I. Patel whose telephone number is (571) 272 4156. The examiner can normally be reached on M-F 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on (571) 272 4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner:



Niketa Patel

08/27/2007